In consideration of the foregoing, and pursuant to the authority delegated to me by the Administrator (31 FR 13697), § 39.13 of Part 39 of the Federal Aviation Regulations is amended by adding the following new airworthiness directive:

CESSNA AIRCRAFT CORPORATION. Applies to Cessna Model 305A series airplanes, modified in accordance with STC SA568SW or SA504SW (oil line rerouting), including airplanes listed in Note 3 of Aircraft Specification 5A5.

Compliance required within the next twenty-five hours' time in service after the effective date of this AD, unless already accomplished.

To prevent failure of the aluminum elbow fitting P/N X34352, remove the fitting from the old cooler and replace with a fitting of the same part number fabricated from brass, or equivalent part approved by the Chief, Engineering and Manufacturing Branch, Flight Standards Division, Southwest Region, Federal Aviation Administration, Fort Worth, Texas.

NOTE: Advisory Circular AC 43.13-1A, Chapter 10, provides information on the proper flex line installation procedure that should be followed when reconnecting the oil system line. These parts are available from Ector Aircraft Company, 414 East Hillmont, Odessa, Texas 79760.

This amendment becomes effective March 10, 1975.

(Secs. 313(a), 601, 603, Federal Aviation Act of 1958 (49 U.S.C. 1354(a), 1421, 1423); sec. 6(c), Department of Transportation Act (49 U.S.C. 1655(c)))

Issued in Fort Worth, Texas, on January 27, 1975.

HENRY L. NEWMAN,
*Director, Southwest Region.*

[FR Doc.75-3188 Filed 2-4-75;8:45 am]

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[Docket No. 75-CE-1-AD; Amdt. 39-2083]

## PART 39—AIRWORTHINESS DIRECTIVES

### Cessna T310, 320, 340, 401, 402, 411, 414 and 421 Series Airplanes

AD 72-10-5, Amendments 39-1442 (37 FR 9385, 9386), and 39-1562 (37 FR 25021), is an Airworthiness Directive (AD) which requires repetitive inspections of the exhaust system on Cessna T310, 320, 401, 402, 411, 414 and 421 series airplanes to detect incipient failure of the engine exhaust system components. Notwithstanding the issuance of AD 72-10-5, as amended, reports continue to be received of exhaust system failures, heat damage to powerplant components and in-flight fires involving these airplanes. In addition, service reports received on the Cessna 340 airplanes establish that similar incidents can occur on these airplanes. Review and evaluation of these reports indicate that in addition to the inspections required by AD 72-10-5, replacement of certain exhaust system clamps when they have reached a total time-in-service of 400 hours and installation of improved exhaust system clamps now available for some locations will substantially reduce or eliminate the above-noted unsafe conditions. The inspection and replacement procedures are covered in Cessna Service Letter No. ME74-21, dated December 18, 1974. Accordingly, an AD is being issued superseding AD 72-10-5 applicable to Cessna T310, 320, 340, 401, 402, 411, 414 and 421 series airplanes making compliance with the Service Letter mandatory.

Since these conditions may exist or develop on other aircraft of the same type design, expeditious adoption of this amendment is required in the interest of safety. Consequently, compliance with the notice and public procedure provisions of the Administrative Procedure Act is impracticable and good cause exists for making this amendment effective in less than thirty (30) days.

In consideration of the foregoing and pursuant to the authority delegated to me by the Administrator 14 CFR 11.89 (31 FR 13697), § 39.13 of Part 39 of the Federal Aviation Regulations is amended by adding the following new AD.

CESSNA. Applies to T310, 320, 340, 401, 402, 411, 414 and 421 series airplanes.

Compliance required as indicated, unless already accomplished.

To detect incipient failure and improve reliability of the engine exhaust systems installed on the above-noted airplanes, accomplish the following:

1. On all new and in-service aircraft listed herein:

(a) Within 50 hours' time in service after the effective date of this AD (or 50 hours' time in service after the last AD 72-10-5 inspection, as applicable) and thereafter at intervals not to exceed 50 hours' time in service, inspect the exhaust system in accordance with Cessna Service Letter ME74-21, dated December 18, 1974, or later revisions.

(b) Within 50 hours' time in service for those clamps having more than 350 hours' time in service or prior to 400 hours' time in service for those clamps having less than 350 hours' time in service, and at or prior to each additional 400 hours' time in service thereafter, replace existing multi segment "V" band exhaust system clamps located between aft engine cylinders and the turbocharger inlet (except for waste gate to exhaust overboard pipe clamp on Models 421 airplanes) with new parts having Cessna part numbers in accordance with Cessna Service ME74-21 dated December 18, 1974, or later revisions. Use aircraft total time for clamp time in service unless aircraft maintenance records establish location and time in service on previously replaced clamps.

2. Within 50 hours' time in service after the effective date of this AD:

(a) On T310 (all aircraft prior to S/N T310Q0734), 320D, 320E, 320F, 401 and 402 (all aircraft prior to S/N 402B0383) series airplanes, replace the existing multi segment "V" band turbocharger to overboard tail pipe clamp with a new Part Number V57A4234 or 41195AA423 clamp as applicable, in accordance with Cessna Service Letter ME74-21, dated December 18, 1974, or later revisions. These new clamps are not "Life Limited".

(b) On 340 (all aircraft prior to S/N 340-0213), 414 (all aircraft prior to S/N 414-0935) and 421 (all aircraft prior to S/N 421B0397) series airplanes, replace the existing multi segment "V" band turbocharger to overboard tail pipe clamp with a new Part Number V57A5019 or 41195AA502 clamp as applicable, in accordance with Cessna Service Letter ME74-21, dated December 18, 1974, or later revisions. These new clamps are not "Life Limited".

3. Any equivalent method of compliance with this AD must be approved by the Chief, Engineering and Manufacturing Branch, FAA, Central Region.

This AD supersedes AD 72-10-5, Amendments 39-1442 and 39-1562.

This amendment becomes effective February 11, 1975.

Secs. 313(a), 601, 603, Federal Aviation Act of 1958 (49 U.S.C. 1354(a), 1421, 1423); Sec. 6(c), Department of Transportation Act (49 U.S.C. 1655(c)))

Issued in Kansas City, Missouri, on January 28, 1975.

GEORGE R. LACAILLE,
*Acting Director, Central Region.*

[FR Doc.75-3189 Filed 2-4-75;8:45 am]

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[Airspace Docket No. 75-RM-2]

## PART 71—DESIGNATION OF FEDERAL AIRWAYS, AREA LOW ROUTES, CONTROLLED AIRSPACE, AND REPORTING POINTS

### Alteration of Control Zone and Transition Area

The purpose of this amendement to Part 71 of the Federal Aviation Regulations is to delete reference to Howes Municipal Airport in the description of the Huron, So. Dak. control zone and transition area, and substitute in lieu thereof the Huron Regional Airport. The name of this airport was officially changed in December 1974.

Since this amendment is editorial in nature and no substantial change in regulation is effected, notice and public procedure thereon are unnecessary. In view of the foregoing, § 71.171 (40 FR 354) and § 71.181 (40 FR 441) are amended by deleting "Howes Municipal Airport" in the description of the control zone and transition area and substituting "Huron Regional Airport" therefor.

Effective date: February 5, 1975.

Issued in Aurora, Colorado, on February 4, 1975.

M. M. MARTIN,
*Director, Rocky Mountain Region.*

[FR Doc.75-3190 Filed 2-4-75;8:45 am]

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[Airspace Docket No. 74-RM-19]

## PART 71—DESIGNATION OF FEDERAL AIRWAYS, AREA LOW ROUTES, CONTROLLED AIRSPACE, AND REPORTING POINTS

### Alteration of Transition Area

On December 20, 1974, a notice of proposed rule making was published in the FEDERAL REGISTER (39 FR 44036) stating that the Federal Aviation Administration was considering an amendment to Part 71 of the Federal Aviation Regulations that would alter the transition area at Livingston, Mont.

Interested persons were given 30 days in which to submit written comments, suggestions, or objections. No objections have been received and the proposed amendment is hereby adopted without change.

Effective date: This amendment shall be effective 0901 G.m.T., March 27, 1975.

(Sec. 307(a), Federal Aviation Act of 1958, as amended, (49 U.S.C. 1348(a)); sec. 6(c), Department of Transportation Act (49 U.S.C. 1655(c)))

Issued in Aurora, Colorado, on February 4, 1975.

M. M. MARTIN,
*Director, Rocky Mountain Region.*

In § 71.181 (40 FR 441) amend the description of the Livingston, Mont. transition area to read as follows:

LIVINGSTON, MONT.

That airspace extending upward from 700 feet above the surface within 9.5 miles west and 4.5 miles east of the Livingston VORTAC 340° radial extending from the VORTAC to 18.5 miles north of the VORTAC and within 2.5 miles each side of the Livingston 085° radial, extending from a 5-mile radius circle centered on Mission Field Airport, Livingston, Mont. (latitude 45°41'45" N., longitude 110°26'40" W.) to 9 miles east of the VORTAC; that airspace extending upward from 1,200 feet above the surface within 6 miles south and 9.5 miles north of the Livingston VORTAC 085° and 265° radials, extending from 7 miles west to 21 miles east of the VORTAC.

[FR Doc.75-3191 Filed 2-4-75;8:45 am]

## Title 15—Commerce and Foreign Trade

## CHAPTER IX—NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION, DEPARTMENT OF COMMERCE

## PART 924—MONITOR MARINE SANCTUARY

### Interim Regulations

JANUARY 31, 1975.

On January 30, 1975, the Secretary of Commerce designated as a marine sanctuary an area of the Atlantic Ocean around and above the submerged wreckage of the Civil War ironclad Monitor pursuant to the authority of section 302 (a) of the Marine Protection, Research and Sanctuaries Act of 1972 (86 Stat. 1052, 1061, hereafter the Act). The sanctuary area (hereafter the Sanctuary) is about 16.10 miles south-southeast of Cape Hatteras (North Carolina) Light.

Section 302(f) of the Act directs the Secretary to issue necessary and reasonable regulations to control any activities permitted within a designated marine sanctuary. This section also provides that no permit, license, or other authorization issued pursuant to any other authority shall be valid unless the Secretary shall certify that the permitted activity is consistent with the purposes of Title III of the Act ("Marine Sanctuaries"); and that it can be carried out within the regulations promulgated under section 302(f).

The authority of the Secretary to administer the provisions of the Act has been delegated to the Administrator, National Oceanic and Atmospheric Administration, U.S. Department of Commerce (hereafter the Administrator, 39 FR 10255, March 19, 1974).

There are published herewith interim regulations relating to activities to be prohibited or permitted in the Sanctuary, and relating to the certification requirement described above. Comments upon these regulations are invited through March 7, 1975. Comments should be addressed to the Administrator, National Oceanic and Atmospheric Administration, U.S. Department of Commerce, Washington, D.C. 20230. Following the close of this 30-day period, any comments received will be reviewed. In the discretion of the Administrator, these interim regulations will be amended so as to reflect any such comments. The Administrator shall then publish final regulations in the FEDERAL REGISTER. As authorized by 5 U.S.C. 553(d)(3), these interim regulations are effective in order to protect the wreckage until final regulations become effective.

Sec.
924.1 Authority
924.2 Description of the Sanctuary
924.3 Activities Prohibited Within the Sanctuary
924.4 Penalties for Commission of Prohibited Acts
924.5 Permitted Activities
924.6 Permit Procedures and Criteria
924.7 Certification Procedures
924.8 Appeals of Administrative Action

### § 924.1 Authority.

The Sanctuary has been designated by the Secretary of Commerce pursuant to the authority of section 302(a) of the Act. The following regulations are issued pursuant to the authorities of sections 302(f), 302(g) and 303 of the Act.

### § 924.2 Description of the Sanctuary.

The Sanctuary consists of a portion of the water column in the Atlantic Ocean one mile in diameter extending from the surface to the seabed and around and above the submerged wreckage of the Monitor. The central point of the Sanctuary is about 16.10 nautical miles south-southeast of the Cape Hatteras (North Carolina) Light at the coordinates of 35°00'23" north latitude and 75°24'32" west longitude.

### § 924.3 Activities Prohibited Within the Sanctuary.

Except as may be permitted by the Administrator, no person subject to the jurisdiction of the United States shall conduct, nor cause to be conducted, any of the following activities in the Sanctuary:

(a) bottom anchoring;

(b) any type of subsurface salvage or recovery operation;

(c) any type of diving, whether by an individual or by a submersible;

(d) lowering below the surface of the water any grappling, suction, conveyor, dredging or wrecking device;

(e) detonation below the surface of the water of any explosive or explosive mechanism;

(f) seabed drilling or coring;

(g) lowering, laying, positioning or raising any type of seabed cable or cable-laying device;

(h) trawling; or

(i) discharging waste material into the water.

### § 924.4 Penalties for Commission of Prohibited Acts.

Section 303 of the Act authorizes the assessment of a civil penalty of not more than $50,000 for each violation of any regulation issued pursuant to Title III of the Act, and further authorizes a proceeding *in-rem* against any vessel used in violation of any such regulation. Details are set out in Subpart (D) of Part 922 of this Chapter (39 FR 23254, 23257, June 27, 1974). Subpart (D) is applicable to any instance of a violation of these regulations.

### § 924.5 Permitted Activities.

Any person or entity may conduct in the Sanctuary any activity listed in § 924.3 of this Part if: (a) such activity is either (1) for the purpose of research related to the Monitor, or (2) is in connection with an air or marine casualty or the avoidance of same; and (b) such person or entity is in possession of a valid permit issued by the Administrator authorizing the conduct of such activity; except that, no permit is required for the conduct of any activity immediately necessary in connection with an air or marine casualty.

### § 924.6 Permit Procedures and Criteria.

(a) Any person or entity who wishes to conduct in the Sanctuary an activity for which a permit is authorized by § 924.5 (hereafter a permitted activity) may apply in writing to the Administrator for a permit to conduct such activity citing this Section as the basis for the application. Such application should be made to the Administrator, National Oceanic and Atmospheric Administration, U.S. Department of Commerce, Washington, D.C. 20230. Upon receipt of such application, the Administrator shall request, and such person or entity shall supply to the Administrator, such information and in such form as the Administrator may require to enable him to act upon the application.

(b) In considering whether to grant a permit for the conduct of a permitted activity for the purpose of research related to the Monitor, the Secretary shall evaluate such matters as (1) the general professional and financial responsibility of the applicant; (2) the appropriateness of the research method(s) envisioned to the purpose(s) of the research; (3) the extent to which the conduct of any permitted activity may diminish the value of the Monitor as a source of historic, cultural, aesthetic and/or maritime information; (4) the end value of the research envisioned; and (5) such other matters as the Administrator deems appropriate.

(c) In considering whether to grant a permit for the conduct of a permitted activity in the Sanctuary in relation to an air or marine casualty, the Administrator shall consider such matters as (1) the fitness of the applicant to do the work envisioned; (2) the necessity of conducting such activity; (3) the appropriateness of any activity envisioned to the purpose of the entry into the Sanctuary; (4) the extent to which the conduct of any such activity may diminish the value of the Monitor as a source of historic, cultural, aesthetic and/or maritime information; and (5) such other matters as the Administrator deems appropriate.

(d) In considering any application submitted pursuant to this section, the Administrator may seek and consider the views of any person or entity, within or outside of the Federal Government, as he deems appropriate; except that, he shall seek and consider the views of the Advisory Council on Historic Preservation.

(e) The Administrator may, in his discretion, grant a permit which has been applied for pursuant to this Section, in whole or in part, and subject to such condition(s) as he deems appropriate, *except that* the Administrator shall attach to any permit granted for research related to the Monitor the condition that any information and/or artifact(s) obtained in the research shall be made available to the public. The Administrator may observe any activity permitted by this section; and/or may require the submission of one or more reports of the status or progress of such activity.

(f) A permit granted pursuant to this section is nontransferable.

(g) The Administrator may amend, suspend or revoke a permit granted pursuant to this Section, in whole or in part, temporarily or indefinitely, if, in his view, the permit holder (hereafter the Holder) has acted in violation of the terms of the permit; or the Administrator may do so for other good cause shown. Any such action shall be in writing to the Holder, and shall set forth the reason(s) for the action taken. Any Holder in relation to whom such action has been taken may appeal the action as provided in § 924.8 of this Part.

**§ 924.7 Certification Procedures.**

Any Federal agency which, as of the effective date of these regulations, already has permitted, licensed or otherwise authorized any activity in the Sanctuary shall notify the Administrator of this fact in writing. The writing shall include a reasonably detailed description of such activity, the person(s) involved, the beginning and ending dates of such permission, the reason(s) and purposes(s) for same, and a description of the total area affected. The Administrator shall then decide whether the continuation of the permitted activity, in whole or in part, or subject to such condition(s) as he may deem appropriate, is consistent with the purposes of Title III of the Act and can be carried out within these regulations. He shall inform the Federal agency of his decision in these regards, and the reason(s) therefore, in writing. The decision of the Secretary made pursuant to this section shall be final action for the purpose of the Administrative Procedure Act.

**§ 924.8 Appeals of Administrative Action.**

(a) In any instance in which the Administrator, as regards a permit authorized by, or issued pursuant to, this Part: (1) denies a permit; (2) issues a permit embodying less authority than was requested; (3) conditions a permit in a manner unacceptable to the applicant; or (4) amends, suspends, or revokes a permit for a reason other than the violation of regulations issued under this Part, the applicant or the permit holder, as the case may be (hereafter the Appellant), may appeal the Administrator's action to the Secretary. In order to be considered by the Administrator, such appeal shall be in writing, shall state the action(s) appealed and the reason(s) therefore; and shall be submitted within 30 days of the action(s) by the Administrator to which the appeal is directed. The Appellant may request a hearing on the appeal.

(b) Upon receipt of an appeal authorized by this section, the Secretary may request, and if he does, the Appellant shall provide, such additional information and in such form as the Secretary may request in order to enable him to act upon the appeal. If the Appellant has not requested a hearing, the Secretary shall decide the appeal upon (1) the basis of the criteria set out in §§ 924.6 (b) or 924.6(c) of this part, as appropriate, (2) information relative to the application on file in NOAA, (3) information provided by the Appellant, and (4) such other considerations as he deems appropriate. He shall notify the Appellant of his decision, and the reason(s) therefore, in writing within 30 days of the date of his receipt of the appeal.

(c) If the Appellant has requested a hearing, the Secretary shall grant an informal hearing before a Hearing Officer designated for that purpose by the Secretary after first giving notice of the time, place, and subject matter of the hearing in the FEDERAL REGISTER. Such hearing shall be held no later than 30 days following the Secretary's receipt of the appeal. The Appellant and any interested person may appear personally or by counsel at the hearing, present evidence, cross-examine witnesses, offer argument and file a brief. Within 30 days of the last day of the hearing, the Hearing Officer shall recommend in writing a decision to the Secretary based upon the considerations outlined in paragraph (b) of this section and based upon the record made at the hearing.

(d) The Secretary may adopt the Hearing Officer's recommended decision, in whole or in part, or may reject or modify it. In any event, the Secretary shall notify the Appellant of his decision, and the reason(s) therefore, in writing within 15 days of his receipt of the recommended decisions of the Hearing Officer. The Secretary's action, whether without or after a hearing, as the case may be, shall constitute final action for the purposes of the Administrative Procedure Act.

ROBERT M. WHITE,
*Administrator.*

[FR Doc.75-3286 Filed 2-4-75;8:45 am]

## Title 21—Food and Drugs

## CHAPTER I—FOOD AND DRUG ADMINISTRATION, DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

### SUBCHAPTER B—FOOD AND FOOD PRODUCTS

### PART 121—FOOD ADDITIVES

### Subpart D—Food Additives Permitted in Food for Human Consumption

AMYLOGLUCOSIDASE ENZYME PRODUCT

The Commissioner of Food and Drugs, having evaluated data in a petition (FAP OA2569) filed by Biocon Ltd., Hall Lane, Rookery Bridge, Nr. Sandbach, Cheshire, CW11 9QZ, England (present address: Grenagh, Rathduff, County Cork, Ireland), and other relevant material, concludes that the food additive regulations (21 CFR Part 121) should be amended, as set forth below, to provide for the safe use of an amyloglucosidase enzyme product for degrading gelatinized starch into constituent sugars.

Therefore, pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(c)(1), 72 Stat. 1786; 21 U.S.C. 348(c)(1)), and under authority delegated to the Commissioner (21 CFR 2.120), Part 121 is amended by adding a new section to Subpart D as follows:

**§ 121.1265 Amyloglucosidase enzyme product.**

Amylglucosidase enzyme product, consisting of enzyme derived from *Rhizopus niveus*, and diatomaceous silica as a carrier, may be safely used in food in accordance with the following conditions:

(a) *Rhizopus niveus* is classified as follows: Class, Phycomycetes; order, Mucorales; family, Mucoraceae; genus, *Rhizipus;* species, *niveus*.

(b) The strain of *Rhizopus niveus* is nonpathogenic and nontoxic in man or other animals.

(c) The enzyme is produced by a process which completely removes the organism *Rhizopus niveus* from the amyloglucosidase.

(d) The additive is used or intended for use for degrading gelatinized starch into constituent sugars, in the production of distilled spirits and vinegar.

(e) The additive is used at a level not to exceed 0.1 percent by weight of the gelatinized starch.

Any person who will be adversely affected by the foregoing order may at any time on or before March 7, 1975 file with the Hearing Clerk, Food and Drug Administration, Rm. 4-65, 5600 Fishers Lane, Rockville, MD 20852, written objections thereto. Objections shall show wherein the person filing will be adversely affected by the order, specify with particularity the provisions of the order deemed objectionable, and state the grounds for the objections. If a hearing is requested, the objections shall state the issues for the hearing, shall be supported by grounds factually and legally sufficient to justify the relief